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មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
 du dossier: N.U.P. S. P. THUN V. U. F. E. T.

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
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អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
**Extraordinary Chambers in the
 Courts of Cambodia**

ការិយាល័យសហចៅក្រមស៊ើបអង្កេត
Office of the Co-Investigating Judges
Bureau des Co-juges d'instruction
សំណុំរឿងព្រហ្មទណ្ឌ

Criminal Case File /Dossier pénal
លេខ/No: 002/14-08-2006

លេខស៊ើបអង្កេត/Investigation/Instruction
លេខ/No: 001/18-07-2007

កំណត់ហេតុនៃការស្តាប់បង្ហើយសាក្សី

Written Record of Interview of Witness

The year two thousand seven, the month of September, the 25th day, at 09:35 hours at the
 Extraordinary Chambers in the Courts of Cambodia

We, Sim Sorya សឹម សុរិយ៉ា (SS), Nguon Im ងួន អ៊ឹម (NI), Christian Baudesson (CB),
 Fabienne Luco (FL), Investigators of the Extraordinary Chambers, being assigned by
 Rogatory Letter of the Co-Investigating Judges, dated 27 August 2007,

Noting the Law on the Establishment of the Extraordinary Chambers, dated 27 October
 2004

Noting Rules 24, 28, and 60 of the Internal Rules of the Extraordinary Chambers

• In the presence of Mr. Tann Heang Davann តាន់ ហ៊ាងដាវ៉ាន់, sworn Interpreter of the
 Extraordinary Chambers

Have recorded the statements of Prak Khân ប្រាក់ ខន, a witness, who provided the
 following information regarding his personal identity:

Last name: PRAK ប្រាក់

First name: Khân ខន

Revolutionary name: None.

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១

ទូរស័ព្ទលេខ +៨៥៥(០)២៣ ២១៨៩១៤ ទូរសារលេខ +៨៥៥(០)២៣ ២១៨៩៤១

Extraordinary Chambers in the Courts of Cambodia, National Road 4, Choam Chao, Dangkoa Phnom Penh

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Handwritten signature and date: 19/ VIII

Born on 7 January 1951 in the village of Kraing Leav ក្រាំងលាវ, Kraing Leav ក្រាំងលាវ Subdistrict, Bati បាទី District, Takeo តាកែវ Province.

Nationality: Khmer

Occupation: Merchant and farmer

Name of Father: PRAK Mán ប្រាក់ ម៉ាន (alive)

Name of Mother: MĒNG Ván ម៉េង វ៉ាន់ (deceased)

Residing at Smăokhnei ស្មៅខ្លី Village, Trapeang Sap ត្រពាំងសាប Subdistrict, Bati បាទី District, Takeo តាកែវ Province.

Name of spouse: VOAL Hāk វាល់ ហាក់ (alive) with children: 5

Previous crimes: None.

- This person declared that he could read, write, and understand the Khmer language.
 - This person declared that he could not read and write any other languages.
- Therefore, the original of this Written Record is written in the Khmer language.
- We advised this person that the taking of this statement is being audio visually recorded.
 - This person told us that he had no relationship with the Charged Persons and Civil Parties.
 - This person took an oath in accordance with the provisions of Rule 24 of the Internal Rules of the Extraordinary Chambers.
 - We notified this person of the right against self-incrimination, in accordance with the provisions of Rule 28 of the Internal Rules of the Extraordinary Chambers.

Question - Answer:

CB: Today he [sic] wants to ask about torture during interrogation. The first question is was torture automatically done, or what?

PK: Whenever there was permission from Duch, then during that interrogation there was torture; whenever there was permission from upper echelon.

CB: So that means in all interrogations you had the right to torture if the prisoner did not respond to what you had asked?

PK: Yes!

FL: And who was the person who gave the orders? And how were the orders given?

PK: It was Duch, on how to torture to get the responses.

FL: So the orders from Duch that gave you the right to torture. Were they verbal or in writing?

PK: Sometimes in person verbally, sometimes by telephone. Sometimes [when] I questioned and [they] had not yet responded I requested an opinion, I said, Brother I interrogated him and he has not talked. He said, so use torture.

SS: The instruments used, in general were those which the interrogators used the same, or was it up to the interrogators to find them by themselves, or did Duch order their use?

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PK: The instruments used for torturing were not ordered, in reality whatever was there was used, like electric wires, pliers to remove nails, using needles to stick under the nails, in reality we used whatever we had.

NI: The initial ideas for the torturing, the removal of nails, putting needles under the nails, for example, or electric shock, who was the first person ever to instruct that?

PK: In torturing, the initial ideas, no one told us that in any substantial way. But later on they told us about torturing by putting rubber bags over the head, electric shock, so that the enemy would not have sores all over his body, wounds all over his body, and sticking [needles] under the nails was a secondary matter; [we did] whatever [was necessary] to get the responses.

NI: I can accept that, but I want to know, since you were an interrogator, but the initiative in the torture is very seldom thought of by anyone. I want to say [ask] is did those who were experienced provide the initial ideas?

PK: Regarding torture by removing the nails, that idea, Duch instructed that this was a secondary method of torture to avoid having wounds all over their bodies, whenever the other methods had not been successful, those four or five other methods.

NI: Can you recall related to torture like electric shock, if you did not get responses what you did next?

PK: Torturing, as I think about it was no different that what I have said. First, beating. Second, electric shock. Third, head in the bag. Fourth piercing and removing the nails.

SS: All of that torture, did it ever go on until the prisoner died?

PK: Torture like that, I never encountered it going on until death, because of [us] being careful from the beginning.

SS: So as for the case of other interrogators, were there cases of interrogation until death? Was there ever torture to the point of death?

PK: As for the others, it did, some beat [them] to death, some gave [them] electric shocks until death, and some [suffocated them] in bags until death.

SS: In those cases, did Duch take disciplinary measures, or what instructions did he give?

PK: After the events, Duch called [us] to meetings at the political school near Duch's house on the matter of torture until the enemies died, [that was] allowing the enemies to conduct sabotage. Whenever there was some event, he called the interrogators to study every time. For example, four to five days after an enemy was beaten to death, he called [us] to study, and sometimes like when interrogating the enemy and the electricity was out, using a lantern, the enemy took the lantern and poured it on himself and burned himself. Some used ballpoint pens to stab their necks. [He said] this was enemy sabotage inside the prison.

SS: You gave an example of interrogation to the point of death. Do you remember the names of the interrogators who disappeared, do you remember some?

PK: When I think of those who interrogated until [the prisoner] died, I cannot remember clearly. It seems like there was Chom ចុំម.

SS: And Sim Məl ស៊ីម ម៉ែល alias Man ម៉ាន?

PK: Man caused people to die. Later on they arrested him. Man, a Cham, was the Chairman of my team.

FL: What year?

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PK: I don't remember. Touch តូច was another one, a favorite of Chăn ចាន់. At the time, Chăn had Touch bring a female for interrogation, and then he was immoral with the female. This was seen and Touch was arrested and put in shackles in Chăn's house. Then Touch jumped from the third floor, and he got hung on the cables and fell, but not to his death. He was once again arrested and put in shackled. Later he jumped once again, was arrested and put in the main prison. In the end they killed him.

CB: You are saying that he had a morals problem during the interrogation, or when?

PK: Right there in the interrogation room.

CB: So do you know the rape of female prisoners was frequent?

PK: I know only of one rape, because it was adjacent to me. I was in front, they were in the rear, and normally female prisoners were not in handcuffs, not blindfolded. When interrogated they were in leg shackles, and when taken back to the toilet, they [were allowed to] enter unbound in any way.

CB: So, do you think that female prisoners were interrogated by males, there were no female interrogators?

PK: Like I said the last time, formerly there were female interrogators. Later they were all arrested, and they [the prisoners] were all given to males to interrogate.

CB: So that means [it was] in 77 when they arrested all the female interrogators, [and] after that all the interrogators were males?

PK: Yes!

SS: Did you ever interrogate Vietnamese or ethnic minorities? If you did, how could you speak their languages?

PK: As for me interrogating Vietnamese, I never did, since I did not know Vietnamese. As for minorities who knew Khmer, I did, but I forget the names. They were from the Northeast, the Kreong, Kuoy, Tumpuon.

CB: They spoke Khmer?

PK: Yes!

FL: As for the Vietnamese or Thai prisoners or other foreigners, did they have a special unit for interrogating them?

PK: I saw only Chăn, Pon ប៉ុន, Mēng ម៉េង, who were professors and who knew many languages, and sometimes Duch interrogated [them] personally.

FL: What nationalities did Duch interrogate?

PK: I saw what seemed to be an Australian, an American; it seemed one was David Scott, an American.

FL: Duch interrogated [them] himself?

PK: [I] saw Duch, Chăn, because in interrogating foreigners they were not taken outside. That is, they were interrogated publicly because no one could understand.

CB: So you saw this with your own eyes?

PK: I saw it with my own eyes. I had taken a prisoner to put away. I saw the interrogation. I stood and watched, but I could not understand, since they interrogated in English. His name was David Scott, it was written on his shirt, on carved wood buttons, and I could see it, that name was carved on every button.

CB: When you stood and listened did you see Duch interrogate that prisoner?

PK: I saw Duch interrogate and kick [him], and when he [Duch] asked he answered that he was an American. One was an Australian. They came in a cement boat with three months' supply of food. They came to spy on Cambodia.

NI: They said it was a cement boat?

PK: During interrogation they told Chăn they had been in a cement boat, those two did. And when they were taken to be killed, I heard through Soeur ស្តេច that they were taken in shackles, their arms tied behind their backs, and placed in the middle of the road at Tuol Tumpoung, placed at the intersection, and they put old car tires half way up around their bodies, poured gasoline, and burned them at once.

CB: Did you see it?

PK: I did not see it, but Soeur told me, Soeur in Kampong Chhnang, Kampong Tralach.

NI: Soeur was a guard too?

PK: He was in the defense unit right at the entrance.

FL: Were there different techniques for Cambodians and foreigners?

PK: The interrogations were not the same, because foreign prisoners were questioned in public, there was no secrecy, because no one could understand, and they were not interrogated for a long time, not many times, so it was unlike the Cambodians. For them, they were interrogated one or two days and then they disappeared, that was the end of it.

CB: So the American and the Australian, those two prisoners, they interrogated them for two or three days and they killed them?

PK: Yes! Most of the Vietnamese were soldiers, and Chăn was the interrogator and wrote documents for the prisoners to read aloud for recordings for the radio [saying] that the Vietnamese had entered Cambodia to spy.

FL: In particular in what year?

PK: The radio broadcasts were in Vietnamese, interpreted word-for-word into Khmer, in 78, 79.

NI: On 6 January when it fell?

PK: I do not recall clearly, but before the Vietnamese came there were broadcasts in Vietnamese every day.

FL: You said there was a difference between the interrogations of Cambodians and foreigners. Among the foreigners were there differences in interrogation?

PK: They were interrogated differently than Cambodians, because with the Cambodians they were interrogated to find their roots. For foreigners they asked, what was their intention in coming to Cambodia, and had them speak in their language for broadcast back to their country, just to let them know they had entered Cambodia and confessed. There was no interrogating to find their roots.

FL: Among the Cambodians and the ethnic minorities was there any difference in interrogation?

PK: No, there was no distinction, they were all questioned the same.

FL: Among the Cambodians there were no racial distinctions to be made. So were the new people and the old differentiated?

PK: As for the old and the new people, they screened most for the 17 April people who had political tendencies [connections] with the police officials.

CB: So that means when interrogating new people they were questioned on whether they had been government officials or police.

PK: They had to be interrogated about when they were in Phnom Penh, what they did during the Lon Nol era, in general, the police, government officials, to tell all about their acts of treason, that they were CIA networks.

SS: How did you hear the radio broadcasts of the confessions of those Vietnamese, on the radio set up right there, or how?

PK: The broadcasts were every day. At my place we had one Panasonic radio. We could turn it on every day, but just one station; and in reality when Chăn interrogated them in Vietnamese and it was broadcast every day.

SS: Was that radio in the interrogator's house or was it inside the prison?

PK: In those days it was not at the interrogation site. In general, they put a loudspeaker somewhere to disseminate it publicly. My place was far away, and it was hard to hear, so they put separate one there.

SS: I want to ask, if at the prisoner site was there a radio for the prisoners?

PK: Right at the prisoner site there was not, but it might be heard there.

SS: So before you heard the Vietnamese confessions, did they broadcast the Party principles, or what?

PK: As for me, right after it fell on 17 April I listened every day, and there were broadcasts on Party policy, food production in the countryside. In general that was known all along.

NI: I return to the spot where you answered before about foreign prisoners being different in that they were interrogated publicly. I want you to explain public interrogation, how was that done?

PK: That meant the place where they held them. For example, Building B, Building D, the large cells. So, they were taken there and held, placed with Cambodians, wherever, and interrogated right there where they were held. After interrogation for one or two days, it was recorded.

NI: They interrogated in rooms that held both Cambodian and foreign prisoners?

PK: Yes!

NI: When they interrogated, did they remove the handcuffs?

PK: When they interrogated them, they were in hand and foot shackles, they were not removed, because the American was very large and they did not dare remove them [the shackles].

NI: And aside from you personally seeing this, Duch kicking the foreigners, aside from that, did you ever see Duch torture any others?

PK: Duch interrogating prisoners, that was a permanent [occurrence] as I saw it, like when he came to my site and he was curious about some point, he interrogated, and he struck a blow or two. He went around and questioned at every site.

NI: Were any pregnant female prisoners ever called for interrogation?

PK: I never encountered that, but there were [some] inside there.

NI: Those pregnant prisoners, where did they get pregnant, inside there?

PK: One of those who were pregnant was the medic Thân [ពេទ្យ ថន], she was many months pregnant when she came in. I do not know what the trouble was, [but] she was arrested and brought in. Two or three months after being arrested, they released her to live under the stairs of Building B. She was not shackled, she slept there. The medic Thân had just come from China and was in acupuncture. I had been treated by her

before. But later on I did not see them take her away to be killed. But after liberation she had disappeared.

NI: But explain a little, did you ever see anyone pregnant being tortured?

PK: As for anyone pregnant, I never saw that. I just know there were some [pregnant prisoners] in the prison. Two or three months later they released [her], [meaning] no shackles. When she gave birth, it was a boy.

NI: While under interrogation or after interrogation, did any prisoners ever commit suicide?

PK: There were prisoners who committed suicide. Some used pencils or ballpoint pens to stab themselves, broke glasses and used the pieces to stab themselves, some used lanterns to burn themselves, some jumped from the buildings, all of that happened.

FL: Before, you said that Duch interrogated and tortured a female using electric shock. Can you repeat that?

PK: Duch, Chăn, Tít ទិត, Dèk Bou ដេកប៊ូ, Mēng, Pon, the five or six of them, they tortured [her] from 9 at night until three in the morning. I was on guard outside, but I can not remember the name of that woman. [I was] outside the prison. But it was at Tít's interrogation site. During the torture, there was no confession, and it went on until the woman went unconscious from too much electric shock; beatings and then electric shocks, [and then she] went unconscious.

FL: Who was the person administering the electric shocks?

PK: At that time it was Duch.

CB: Where was the interrogation?

PK: It was at Tít's interrogation site.

FL: In what year?

PK: I do not remember the year.

FL: Did you see this with your own eyes, Duch doing the shocking?

PK: I saw it with my own eyes, because it was after my interrogation shift had ended. I had taken my prisoner back. I was on guard outside. I stood and watched.

CB: So you were in the room?

PK: I was outside the door opening.

CB: So you could see through the door?

PK: I was right there at the entrance. I could see, and the metal door was completely pushed to the side. It was a row house. I sat at the door and saw it.

FL: So could you demonstrate clearly what happened?

PK: Duch was interrogating like he wanted some important information, but it did not come out. So Duch used torture, beating, electric shocks, took [her] shirt off leaving the trousers, tortured [her] with Dèk Bou, Mēng, Pon, and Chăn.

FL: So, among them, Duch was the most active interrogator and torturer?

PK: During the torture, Duch did not do so much more than the others, but Duch was the leader on site.

FL: So he was the leader, what did he do?

PK: He interrogated, he beat [her] until he got tired, and then let them interrogate, and he waited and listened for the responses.

FL: So aside from that, did you ever see Duch torture others?

PK: Later on I did not see it often, just once in a while, like I said when he came to my site and hit them once or twice and then went elsewhere. That was once in a while.

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FL: Mr. Francois Bizot was filmed once in which he said he saw Duch torturing prisoners and laughing?

PK: During the torture it was both laughing and beating at the same time; they laughed and joked together, those several people.

FL: When?

PK: The case of that female.

SS: When Duch was not present, which deputy replaced Duch to manage S-21?

PK: When Duch was not present, I just saw Hor, the Deputy Chairman of Office S-21 managing; but on the document side, I don't know, I'm afraid I don't know by each section, I had no grasp of that.

SS: Did you ever see Duch absent from S-21 for a long time, going down to the bases for a month or a week?

PK: Going away and abandoning my section, I never saw that.

SS: In torturing, did Duch ever provide instruction that a method was effective because he had used it at M-13 effectively? Did he ever talk about M-13?

PK: Speaking about M-13 at Amleang, whenever they took us for political study or technical [study] as his house for an hour or half an hour, most [times] he talked about M-13, but I have forgotten it all.

NI: Torturing the prisoners, was the intent solely to get confessions, or were there other purposes?

PK: In the interrogation of enemies, the torturing was done with the sole intent of getting responses.

NI: Were there ever any prisoners who were tortured but who did not confess?

PK: As for prisoners who were interrogated, half of the interrogations did not get responses.

NI: And when torturing prisoners, when some of them were injured, did S-21 arrange any medical treatment for those prisoners?

PK: As for prisoners who were injured during interrogation, there were medics who went around and treated them, the medic Soeung ស៊ីង, the medic chairman Try ទ្រី. They carried a shoulder bag [with supplies] to clean wounds, close wounds.

NI: Do you know where Soeung is today?

PK: I do not know whether he is dead or alive now. [He was from] Kampong Chhnang.

CB: So those two medics, were they the same ones who drew the blood [and] examined the prisoners?

PK: Try and his subordinates were the ones who took the blood at the medical site, sometimes at 10 or 11 o'clock. The medical site was adjacent to my house. [I saw] a vehicle full of prisoners whose blood had been taken, not yet dead, very weak and expiring. The blood was then taken to be kept at hospitals. There was a war with the Vietnam at the time, and the blood was taken to 17 April Hospital and the Monivong Hospital.

FL: You said that the wounded needed blood, wounded in what war?

PK: That was in 77, 78. Pol Pot had attacked inside Vietnam into Tây Ninh, Lộc Ninh. So the wounded were transported to Phnom Penh, and required a lot of blood.

FL: You talked about Tây Ninh, can you talk about that more clearly?

PK: Pol Pot attacked into Tây Ninh, Lộc Ninh, and was driven back, driven back until 79.

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FL: Were there many wounded?

PK: There were many wounded in my division, and when we met they said that many had been wounded when attacking Lóc Ninh, when they were surrounded from the rear and when they broke, they had to attack back out, and they broke all along the way.

NI: Do you know if the people whose blood had been taken died or lived?

PK: Those whose blood had been taken, as I knew it, as I saw it, they took those who were in good shape, not sick, and they took their blood. They examined the blood according to medical procedures, and they took four to five bags from each prisoner. The prisoners were unconscious and were gasping, and after they finished taking blood, they removed the tubes and took the prisoners and put them into a pile.

NI: Did they live or die after that? And had those prisoners been interrogated already, or what? The ones whose blood they had taken?

PK: The prisoners whose blood had been taken, I just know enough to say that when they were piled up they had not yet drawn their last breaths, there were not yet dead. But they died later on, and a vehicle came to take them to Cheung Ek. So all those whose blood had been taken did die. When I saw this I was strongly disturbed; when I tortured I was not that disturbed. But when they took the blood it was so terrifying. I have never forgotten it, that matter.

CB: Were there many whose blood was taken?

PK: Twenty to thirty at a time, but it was not continual, once every four or five days. I estimate no fewer than a thousand persons. Every four or five days, regularly, for months, for years.

CB: I want to confirm, did you say that the technique of drawing the blood was they took the blood until they died, and then they piled them on top of one another, so then that means they took the blood to kill them?

PK: The intent was that they would die. Secondly, to get the blood. The intent was to kill.

CB: So that was a killing technique?

PK: Yes. The medic Try as an ordinary person, gentle. He was the medical chairman, but he was very common, but in the end he was arrested, imprisoned, and killed. He came from the 703rd like me.

FL: When did the blood drawing occur?

PK: The taking of the blood, I saw it from 76 until the end.

FL: In early or late 76?

PK: During 76, I don't know whether it was early or late in the year. His house and mine were separated by a wall. Just going upstairs, you could look down and see into there. The medical house was a wooden house, and in fact I stood and watched until the blood was all gone and they took the prisoners away. That's why I said it was so pathetically immoral.

FL: So the prisoners who were brought in to have their blood drawn, did they say beforehand why they were taking their blood?

PK: They were prisoners who had already been interrogated or some who were not to be interrogated, so before taking them to smash, they took their blood.

FL: Who was chairman at the blood drawing unit? And what was the unit's designation?

PK: The medic Try was medical chairman at S-21. They did not call it a unit. That was the medical site [clinic] of S-21; the chairman was Try, that was the medical site for the unit, the office.

FL: Who was in charge of the clinic at S-21?
 PK: It was Try.
 FL: Above Try?
 PK: Just Duch.
 FL: He was under the command of Duch?
 PK: Yes!
 FL: Did you ever see Duch at the blood drawing site?
 PK: I never saw him enter the place, because it was at night.
 FL: Do you know who gave the orders to take the blood?
 PK: I do not know clearly, my assumption is that if Duch had not ordered it, who would have dared to do it?
 FL: So did you ever see Duch's messenger at the medical site?
 PK: The messenger entered and left everywhere.
 FL: Who came to get the blood? Where did they take it?
 PK: I never saw anyone come to get it, [I] do not know where it was taken [first], but know that it was taken to 17 or Monivong.
 FL: Did they make lists of whose blood had been drawn and how much?
 PK: No. There were no lists then, no.
 FL: After interrogations were completed, who made the decisions to send them to take their blood?
 PK: I do not know. Upper echelon. I just think in my heart if it the Office Chairman had not had them take it, no one would have dared to take it.
 FL: So you yourself, did Duch ever order you to take a prisoner to have blood drawn?
 PK: No.
 NI: When they drew blood, were the prisoners in shackles?
 PK: The prisoners having their blood drawn were brought in from the prisoners, their hands cuffed behind them, blindfolded, and when they reached the bed where the blood was to be drawn, they took off the handcuffs, tied their arms to the bed, blindfolded them, [and] tied their legs.
 SS: Did you ever see prisoners, especially ethnic minorities, come to be interrogated for a day or two and then be released?
 PK: Prisoners who entered S-21, I never saw them leave.
 SS: You spoke about the messenger of Duch who saw the blood drawing site. Do you know the name? [Is he] still alive?
 PK: I knew Duch's messenger then, but now I forget, I can't think of his name.
 NI: Were there just two people at the blood drawing site?
 PK: The medics who drew the blood, there were the two, as far as I know clearly. But there were not many medics, four or five, that's all.

Paused the interview at 12:00 noon on the same date.

Began the interview again at 1:15 hours in the afternoon on the same date.

SS: I want to ask, the prisoners who were S-21 cadres who were arrested and held in their own place, where did the majority of them come from? And approximately how many hundreds of them were arrested and killed?

PK: Those arrested and put in S-21 Tuol Sleng, those who worked there in the interrogation section and defense, all of their origins were from the 703rd from the beginning, I estimate about 300, no fewer than 300, including defense and interrogation. So those from the 703rd, as far as I know, that was almost all of them, there remained only a few.

FL: Arrested and killed?

PK: They all had been arrested and killed.

SS: The replacements for those arrested, where were they from?

PK: The new replacements mostly came from the West; Duch brought them in himself.

SS: Including forces from the West and those who were killed, those from the 703rd who were killed, both of those events, was it Duch who decided on the arrests of the 703rd and bringing in those from the West, or were there orders from above?

PK: All the replacement forces, I imagine that Duch [had to] ask the opinion of upper echelon before placing them there.

SS: You said he probably asked the opinion of upper echelon. Probably who?

PK: He probably requested to them, I imagine, because Duch often talked about Brothers One and Two, there was just Saloth Sâ, Brother Number One, and Nuon Chea, Brother Number Two.

SS: Approximately what year was that?

PK: Those events occurred in 1978.

SS: Do you know, when the decisions were made to kill those from the 703rd, did the decisions come from upper echelon or did Duch decide that himself?

PK: I can make no conclusions on Duch deciding to kill them, because I was below I could not know everything.

FL: Duch came from the West and Hor ប៊ី from the 703rd. What was their relationship like?

PK: When I first came, I never saw anything happen, because Hor was the Deputy Chairman of one part, economics, [and] the defense inside and out. Duch was in general command, but they supervised the interrogation section, the inside of the prison. So regarding conflicts, they were never seen; but, noting the general living conditions, the 703rd forces kept being worn down, being arrested one after another, the 703rd forces working in S-21. And the forces from the West were being brought in one after another, everyone was shaken, awaiting that situation. When the front liberated us, we were very happy. One day I was very frightened. At about two at night they came and called Phâl from the defense. They said Khân, come here. I was startled and frightened and thought I was being arrested to go listen to the reddish doves at Mahamontrei Pagoda. The situation was very tense; I was scared to death.

SS: From your observations as an interrogator or through discussions with other interrogation cadres, were the arrests of the 703rd because of Duch's dissatisfaction or fear of the 703rd would take his position, or what? This according to your personal understanding.

PK: On this, I can just say that the 703rd forces at the time were the first to come to S-21, all from the 703rd, since it had moved from the PJ to S-21, all the forces were the special

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forces of the 703rd, like Ta Man, Phēng ផង, Tuy តូយ, Bou, who we had requested from the 703rd special forces to come to supervise, and the small [low level] forces were from the 703rd. So I imagine that Duch did not want the 703rd forces to supervise everything, I do not know, or they were tracking down and arresting 703rd networks, I do not know. So those who had histories from the 12th Division, the 703rd, everyone was angry, so my conclusion was [he] did not want the 703rd to rise to power, he was afraid he would not be the chairman forever.

SS: As an interrogator you may know this very clearly: When was the first time people from the 703rd were arrested and imprisoned at S-21? If you can't recall the month, was it early or late in the year? Did many of the 703rd forces implicate one another or was it because of something else, from what you observed from the responses you got when you interrogated?

PK: In 77, 78, 75, 76 there were events, the arrests of Hou Nim ហ៊ុន នីម, Hou Yuon ហ៊ុន យួន, Ta Nath ណាត, Ta Pin ពីន, Chăn Chakrei ចាន់ ចក្រី. Then the situation blew up in Phnom Penh. With the arrests of all the leaders, some of those at lower levels fled to Vietnam, some were arrested and placed in S-21, and they kept on implicating one another. The small implicated the big, Ta Nath of the 703rd, Chăn Chakrei in the East. They kept implicating one another, so the 703rd was arrested all along the line from top to bottom.

SS: So that means those events occurred and among them the arrests of the 703rd's leaders too. So later on more and more from the 703rd were arrested?

PK: Yes!

FL: So, you are saying that before the arrests of the leaders, those events occurred in 77, 78. Before 76, who was it they considered to be the enemy?

PK: In 75, 76, there were arrests, but few, the arrests of small people, the workers, but not at division level, sector level, or Party Secretary level, [that did not happen] until late 77.

FL: Was this a general occurrence, the arrests of those who worked inside in various places like in S-21?

PK: The arrests of those inside [the ranks], that occurred everywhere throughout the country.

SS: You took confessions to Duch and Duch made notes to send back. Do you remember some? If I show you, would you recognize them?

PK: I can remember Duch's signature.

SS: So look at this one. Is this Duch's writing?

PK: There below, the signature of Duch.

SS: This a note by Duch striking out the writing of Nai Saran ណៃ សារ៉ាន alias Ya យ៉ា, the leader of the Northeast Zone. Ya responded that he had answered under serious torture, and Duch marked out the words [about] torture and wrote, "Brother Ya has no right to report on that matter, I have the right to report, don't play the game of denial, that is not allowed."

FL: So you can recognize the signature, whose it is?

PK: The signature of Duch.

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Handwritten signature and date: 19/11/01

FL: What document is this, do you know? (D7358)
 NI: I want to confirm about this document with notations but no signature, but I want to know whose writing this is. (Propose questioning four and killing the others.)
 PK: [That is] Duch's handwriting.
 FL: Do you know that document? (D7358 ERN 00007270)?
 PK: A documented list of names arrested by network.
 NI: This documents says (Propose questioning four and killing the others.), but ti is unsigned. Whose note is that?
 PK: Those words, that handwriting, and that type of expression came directly from Duch.
 SS: This signature of Huy ហ៊ុយ, which Huy is it? (D7358 ERN 00007270)?
 PK: never heard of it. [sic]
 SS: But this Huy, is it Huy Srè ហ៊ុយ ស្រែ or Huy Tauch ហ៊ុយ តូច, the list maker?
 PK: Him Huy, no.
 SS: So you do not recognize the name there?
 PK: No, that name is strange.
 CB: You said it was probably Huy Srè, you don't recognize the name?
 PK: If it was Him Huy I might recognize it.
 NI: Related to the arrests of S-21 personnel who came from the 703rd, arresting them and sending them to the interrogators, if 703rd interrogators were there [then what]?
 PK: [I] saw that [those] taking them for interrogation were mostly Chăn, Pon, Mēng. Sometimes Duch interrogated. Pon, Chăn, Duch helped with a question and then walked away. But the permanent [usual] one was Chăn; but [he] did not interrogate along with the interrogators, it was different, but when leaving the interrogation room it was all covered with blankets, I just saw their feet; that was internal.
 NI: So that shows that S-21 cadres and combatants from the 703rd were not interrogated by the 703rd?
 PK: On that point, they did not have the 703rd forces interrogate, they had other forces interrogate.
 NI: I just want to ask you to recall how many S-21 people were arrested?
 PK: I cannot say correctly because I do not know; approximately, including defense and interrogation, I'd estimate 300. No more than 50 to 60 remained. I saw those remaining in the defense unit, I saw many remaining there; aside from them, in the interrogation [section] I was the only one remaining from the 703rd.
 NI: So, related to those arrests, who made the arrests if the defense unit forces were all 703rd?
 PK: The arrest forces at the time, I knew some through friends with them, Huy, Pēng, and Bou were the perpetrators.
 NI: Arrested their own people?
 PK: Yes!
 NI: Regarding prisoners who [were] killed at S-21, the estimated total, you worked there, approximately how many prisoners were there in total?
 PK: I cannot estimate the total, because they came in and went out one after another, but no less than several thousand.

Handwritten notes and initials in the top right corner.

NI: One more related to when the Vietnamese came and the S-21 teams left together on what day was that, do you know that clearly?

PK: One day before the Vietnamese came, in S-21, one day before they came, the gates/doors were shut; everyone knew the situation, the gunfire was heard coming from Neak Loeung.

CB: So on what day was that, closing up one day before?

PK: The Vietnamese came on the 7th of January, so the day before was the 6th; [on the] 6th, 5th, 3rd, 4th, after the 2nd, the 3rd, the situation was confused; we heard the gunfire at Neak Loeung. The situation in S-21, all the prisoners were purged and transported out.

NI: So [you] saw the prisoners killed at the interrogation site in Building A. Do you know who ordered those killings?

PK: I did not enter and see the prisoners in Building A, but Building A held the high level prisoners. So, on 7 January before they entered Phnom Penh, those prisoners were all smashed. They had me be on the ready armed with weapons at the East sewer ditch, and I saw tanks on Monivong Street, and then we withdrew and arrived at Prey Ampeou by night and crossed at night to Chamkar Daung, went to Prey Sâ, up to Phleung Ches Rotes, to Amleang.

FL: Before the Vietnamese troops arrived did you know if there were any major/senior people at S-21?

PK: Before they came, in general those with high status, they were all smashed.

FL: Before the Vietnamese came did any major/senior people come to tell S-21?

PK: I never saw any at all.

FL: So before the Vietnamese soldiers came, did you receive any instructions or special orders from upper echelon?

PK: Before the Vietnamese came, they gave no instructions aside from issuing weapons and defending the sewer ditch, but there was no defense at that time, there were just the people at Propaganda, they all assembled.

FL: Related to the issue of weapons, did those working there go get the weapons to defend, or did Duch order that?

PK: Going to get the weapons was the order of Hor, to get the weapons from the warehouse and bear arms.

FL: On what day?

PK: On January 7 in the morning, but the weapons given us then were all old, carbines. MCs, CKCs, no AKs.

CB: On 12 October 2006 with the Prosecutors you said that there were barbaric killings of children, that children were taken to the third floor and thrown down below to break their necks. Is that true? Did you participate?

PK: Those events were real. At that time, those Vietnamese, including the husband, the wife, and the child [who] was probably five or six months old when they put the parents in the cells and they kept the child outside. Then Dèk Bou, picked [it] up and threw [it] down below. [It] died, and [he] had me take [it] and bury [it].

NI: How many?

PK: I just saw one.

FL: You talked about the arrests of the Vietnamese people? When?

PK: I do not remember. When I first joined in the defense unit. I had not yet joined the interrogation [section].

FL: So that means that there had been orders from above to arrest Vietnamese people?

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Handwritten signature/initials

PK: I do not know the story, but as I grasped it, the Vietnamese people had entered Kampuchea. Kampuchea and Vietnam were in conflict. After Democratic Kampuchea was victorious on 17 April, [and] the Vietnamese on 30 April, nearly one month afterwards there was a Party matter conflict, so the people who entered Kampuchea were arrested. Then Pol Pot wanted to dig them all out and take all of Cochin China.

FL: So after the interrogations ended and there were no notes from Duch, those prisoners were sent to Cheung Ek to be killed. Did you ever go to Cheung Ek?

PK: I never went. I just knew about it last year.

NI: Among all the interrogators, the hot team, the cold, the chewing, who is still alive? I read it again, because you answered already that there was, Dèk Bou, Mēng, Chăn in the hot team; Chorn ជន and Lach Mien ឡាច ម៉ែន in the cold team; and the chewing team had Tīt as chairman. Are any of those people alive?

PK: Lach Mien and I are still alive.

CB: Related to those still alive, you spoke about Peou ពៅ. Do you know if he is alive?

PK: He is alive, in Kampong Chhnang.

SS: On the final day the prisoners taken to be killed, did Duch give the order or had he fled already?

PK: At that time, the situation exploded along the border and when the prisoners were transported away to be killed on the 4th, 5th, 6th, there was no work, we were free, so we just came and went nearby the prison. So I saw Hor, Pēng, and Huy leading the prisoners and making the arrangements, sometimes Duch as well. That night it was busy, I do not know how many times [that happened].

FL: Perhaps we will have to ask you a number of other questions. Would you agree to come again?

PK: When?

FL: Probably in two or three weeks, we don't yet know, after the harvest.

PK: I may be able to come.

NI: The next time, request you cooperate with us once again. It can't end just here. The work of the court can't end only here, it requires your cooperation.

PK: I just want this. During this cooperation, for example, if I have a problem, if they hate me, mistreat me, then please help me.

FL: Has that ever occurred?

PK: Not yet.

NI: Is there anything additional you wish to show us about S-21?

PK: It seems that is everything. What I wanted to say you have asked already, I have told you already.

The interview ended at 3:49 hours in the afternoon on the same date.

- One copy of the Written record was provided to the witness.
- After it was read aloud the witness had no objections and agreed to sign.

Witness	Interpreter	Investigators
[Signature]	[Signature]	[Signatures]
[Thumbprint]		

Attachments:

- 1. Document ERN 00007270 D7358 TSL 5690 has been translated as T489.
- 2. Document related to Ya and Duch:

Brother Ya:

Pursuant to the instructions of Brother Duch, propose you clearly explain in detail about your past traitorous activities. What did you rely upon? Upon forces outside the country, how could you rely [on them]! On forces inside the country, other than Sector 24, what other forces did you rely upon!

29 September 1976
Pon

Propose not writing words like those [struck out] in red. You have no right to report this matter to Angkar. [Only] I have that right. I have reported already. I reported very clearly. Don't play the game of denial, that is not allowed.

30.9.79
Duch

I have read and responded.
When [I] wrote there was no deceit.
~~But request to note that [my] responses beginning the night of 28/9/76 were made after I had received strong and serious torture.~~
29 September 1976 (nighttime)
[Signature]